SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok **Monday** **31st December, 2007** **No. 556**

HUMAN RESOURCE DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK-737101

No.274/EXAM/HRDD **Date: 26.12.07**

NOTIFICATION

The draft of certain rules which the State Government proposes to make in exercise of the powers conferred by sub-section (1) of section 76 of the Sikkim Education Act,2005(16 of 2005) is hereby published as required by sub-section of that section of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules would be taken into consideration after expiry of a period of 45 days from the date its publication in the Official Gazette.

Any views or suggestions, which may be received from any person with respect to the said draft rules before the expiry of the period so specified, will be considered by the State Government.

CHAPTER 1

PRELIMINARY

Short Title and Commencement

1. (1) These rules may be called the Sikkim Education Rules, 2007

(2) They shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of these rules.

Definitions

2. (1) In these rules, unless the context otherwise requires,

(a) **"Act"** means the Sikkim Education Act, 2005;

(b) **"Form"** means a form appended to these rules;

(c) **"Competent Authority"** means any person, officer or authority authorized by the State Government, under clause (c) of **section-2** of the Act.

(d) **"Registering Authority"** means the authority authorized by the State Government under clause (r) of section 2 of the Act;

(e) **"Fund"**, shall have the same meaning as given to it by **the Act;**

(f) **"section"** means section of the Act;

(g) **"Private Institution"** means an institute imparting education and managed by a group of persons forming a management committee, whose members are not State Government or Central Government employees. Private Institution as defined here does not include Tutorial institutions;

(h) **"Department"** means Human Resource Development Department, Government of Sikkim;

(i) **"Government"** means Government of Sikkim.

(2) Words and expression used in the Act and not defined or otherwise defined in these rules shall have the same meaning respectively assigned to them under the Act.

CHAPTER II
REGISTRATION OF PRIVATE INSTITUTIONS

Procedure for Registration of Private Educational Institution

3. (1) Every Private Institution shall apply to the State Government for registration of the Institution as required under clause (c) of sub-section (2) of section 3 of the Act. .

(2) The Promoter intending to establish an educational institution must first constitute a Provisional Managing Committee, with head of the institution as Secretary, and the Secretary shall apply for the registration of the institution on behalf of the committee.

(3) The Managing Committee shall have minimum seven and maximum eleven members. In case the Promoters or the Members of the Managing Committee are residents of other States or foreign nationals, clearance from Home Department, Government of Sikkim, must be produced along with the application for registration.

(4) After the institution is registered, the Managing Committee must itself be registered with the Competent Authority. The composition of registered committee must be in conformity with the provisions as laid down in section 20 of the Act. The details of such registered committee should be communicated to the Registering Authority within 30 (thirty) days of its registration.

(5) In the case of already existing institutions, the application for registration shall be made in **Form I** before the Registering Authority within 60 (sixty) days from the date of publication of these rules. While filing the application for registration the institutions shall surrender to the Registering Authority the Provisional No Objection Certificate in original if the same had been issued by the Department to the institution. Except for institutions which have been already affiliated to CBSE or any other Board recognized by the State Government, such No Objection Certificates issued by the Department shall become null and void from the date of notification of these Rules.

(6) In the case of new institutions (to be established after the commencement of these rules), the application for registration shall be made in **Form II** before Registering Authority by the month of September of the year preceding the academic calendar year in which the institution is to start.

(7) Every Private Institution shall fall in one of the categories as specified in Table 1 in rule 5 (5).

(8) An application for registration of an institution as classified in column (2) of the Table 1 hereunder shall be accompanied by the registration fee specified against the corresponding entry in column (3) of the Table. The registration fee shall be paid in the form of account payee cheque or demand draft drawn in favour of the Registering Authority.

TABLE 1.

Sl.No.	**Classification of Educational Institutions**	**Registration fee to be paid**
(1)	(2)	(3)
1.	**Pre-Primary Schools**	Rs. 5,000/-
2.	Primary Schools with classesPre-primary to V	Rs. 7,000/-
3.	Junior High Schools with classes Pre-Primary to VIII	Rs. 10,000/-
4.	Secondary Schools with classes Pre-Primary to X	Rs. 15,000/-
5.	Senior Secondary Schools with classes Pre- Primary to XII	Rs. 20, 000/-

(9) Registration Fee once paid shall not be refunded where registration is granted, and where registration is refused the amount of the fee paid shall be refunded without interest to the applicant through account payee Cheque or Demand Draft.

(10)(a) The Registering Authority shall verify the suitability and eligibility of each application as required under sub-section (2) of section 11 of the Act and

(i) register the institution and issue a certificate in Form III, provided the conditions specified in these rules for registration have been complied with,

OR

(ii) specify or extend from time to time, the period for compliance of such conditions as required for registration of institutions.

(b) Where any period is specified or extended under clause (a) above, the Registering Authority may register the institution provided the conditions prescribed or specified for registration have been fulfilled within such period and issue a certificate in the prescribed form but shall refuse registration where there has been no such compliance. Every order of refusal shall disclose the grounds for such refusal and shall be communicated in writing to the concerned applicant. Such refusal order shall be accompanied by the refund of registration fee in the form of demand draft or account payee cheque.

(c) The Managing Committee in whose favour the registration certificate is issued shall start the institution during the academic year as per the specifications laid down in the registration certificate and the date of starting shall be intimated to the Registering Authority within 30 (thirty) days. In the case of failure on the part of the Managing Committee to start the institution during the specified academic year, the same should be intimated to the Registering Authority with a request to permit the Committee to start the institution in the immediate subsequent academic year.

Conditions for registration of Private Educational Institution

4. The Registering Authority shall examine the application for registration to ensure whether the institution has fulfilled the following essential conditions required for registration; namely :-

a) That the institution is located in hygienic and healthy surroundings.
The applicant shall enclose a certificate to this effect obtained from the Joint Director, Human Resource Development Department, of the concerned district.

b) That the site for the school building has an area of not less than 1000 sq. metres for Nursery and Pre-primary School, 2000 sq. metres for Primary and Junior High School and 4000 sq. metres for Secondary and Senior Secondary schools. Besides this, all the schools should have facility for organizing outdoor games.

c) That each classroom for primary level classes has an area of minimum 1 sq. metre per student and each classroom for secondary level classes has an area of 1.3 sq. metre per student.

d) That the school has separate toilets for boys and girls with 5 urinals and 2 toilets for every 100 boys and 6 toilets for every 100 girls.

e) That the school has provided safe drinking water at the rate of 40 litres per student per day and a minimum of one fountain/tap per 50 students.

f) That the institute is preferably located in open area with conducive atmosphere for imparting education.

g) That the building of educational institution is provided with sufficient fire safety measures and a certificate to that effect is produced from either the Director of Fire Services in the State or the Officer–in-charge of Fire and Emergency Services of concerned district.

h) That the school building and its infrastructure conforms to the building bye laws as prescribed by the concerned Department of the State Government.

Procedure for up-gradation of Educational Institution

5. (1) Every educational institution intending to upgrade to a higher category as specified in the table of sub-rule 8 of rule 3 shall make an application to the Registering Authority in From IV by September of the year prior to the commencement of the academic year.

(2) Every such application shall be accompanied by a fee equal to the difference in amount of fees for registration of different categories of institutions as laid down in sub-rule (8) of rule 3.

(3) While granting up-gradation, the Registering Authority shall give due regard to the past performance of the educational institution in the matter of its faithfulness in implementing the objectives as per the provisions of the Act and the Rules, notifications and orders there under and the general reputation of the institution amongst the public and the students.

(4) While issuing a Registration Certificate in respect of such upgraded educational institution, the original certificate (as updated from time to time) shall be withdrawn and a new certificate shall be issued in Form V.

Registration of existing Recognized Private Educational Institutions affiliated to Recognized Boards

6. (1) The educational institutions which are already affiliated to recognized Boards such as CBSE or any other Board recognized by the State Government, shall file within six months from the date of commencement of these rules , a statement in Form I before the Registering Authority for registration of the institution. Where the Registering Authority is of the opinion that the affiliated Private Educational Institution does not conform to the provisions made under rule 4, it may direct the Managing Committee of the institution to bring it in conformity with the same within a period of one year; Provided the Registering Authority in the event of non achievement of compliance report within the stipulated period and if satisfied with the progress made in this regard may extend the period of compliance by such extended period as the Registering Authority may, in its discretion, deem fit.

(2) On being satisfied that the educational institution is fit in all respects to be registered, the Registering Authority shall issue a Certificate of Registration in Form I.

Intimation of change

7. (1) The Managing Committee of every private educational institution shall intimate any change in the particulars of the educational institution to the Registering Authority in **Form VI.** Such intimation shall be sent by speed post or registered post acknowledgment due or delivered in person in the office of the Registering Authority.

(2) On receipt of intimation under sub-rule (1) and upon such enquiry as it may deem necessary, the Registering Authority may record and affect changes in the register maintained and intimate the Managing Committee in **Form VII.**

Form of Register of Private Educational Institutions

8. (1) The Registering Authority shall maintain a register of private educational institutions in Form VIII.

(2) Every such register shall be firmly bound and given running folio numbers.

(3) Before opening any register, the Registering Authority shall on the inner cover page of the register certify the date of opening the register and number of folios ("from" number and "to" number) in it.

(4) On completion of all the folios, the date of such completion shall also be recorded by the Registering Authority on the inner cover page as aforesaid.

Cancellation of Registration

9. (1) Where it appears to the Registering Authority that in respect of a private educational institution:-

(a) any condition of registration specified in rule 4 is violated ; or

(b) the Managing Committee has contravened any provisions of any rules made under the Act ; or

(c) the Managing Committee to which a direction was given under rule 6(1) has contravened the direction, after holding such enquiry as it deems fit, it may send a report to the Competent Authority recommending the cancellation of registration of such institution.

(2) The Competent Authority may, upon the receipt of the report under sub-section (1) and after giving the Managing Committee an opportunity of being heard, order the cancellation of the certificate of registration of the institution and the removal of its name from the register. Every such order shall be communicated to the Managing Committee of the school concerned and to the Registering Authority.

CHAPTER-III

REGISTRATION AND REGULATION OF TUTORIAL INSTITUTION

Procedure for registration of Tutorial Institution

10. (1) No Tutorial institution shall be started without prior registration. Application for such registration shall be made to Registering Authority in **Form IX** at least 30 (thirty) days before starting the institution.

(2) Every such application for registration as a Tutorial Institution classified in column (2) of the Table 2 shall be accompanied by a registration fee as specified against the corresponding entries in column (3) of the said Table. The registration fee shall be paid in the form of a demand draft drawn in favour of the Registering Authority.

TABLE - 2

Sl. No.	Classificatin of Tutorial Institution	Registration fee to be paid(Rs)
(1)	(2)	(3)
1.	School level courses up to class XII	5,000
2.	Degree and Post Graduate level courses	10,000
3.	Other courses (Computer etc.)	10,000

(3) Registration fee once paid shall not be refunded where registration is granted and where registration is refused, the amount of the fee paid shall be returned to the applicant in the form of a demand draft or account payee cheque.

(4) Each Tutorial Institution shall have a unique name for its identification.

(5) The Registering Authority, after satisfying itself whether or not the applicant has complied with the provisions of Section 15 of the Act and rules made thereunder, may,-

(a) either register the institution in the register maintained for the purpose and issue Registration Certificate in **Form XI** .

OR

(b) refuse the registration indicating the reasons for refusal. Every order of refusal shall be communicated to the applicant and shall be accompanied by refund of registration fee in the form of demand draft or account payee cheque.

(6) The applicant in whose favour the registration certificate is issued shall start the institution with classes as specified in the Registration Certificate. Failure on the part of the applicant to start the institution within 12 months from the date of registration shall result in automatic cancellation of the registration certificate.

Registration of existing Tutorial Institutions.

11. (1) The Tutorial Institutions existing on or before the date of notification of these rules, shall make within 90 (ninety) days from the commencement of these rules, an application in **Form X** to the Registering Authority, for registration of the Tutorial Institution.

(2) The application under sub-rule (1) shall be accompanied by the registration fee specified in sub-rule (2) of rule 10 in the form of an demand daft or account payee cheque and it shall be delivered personally in the office of the Registering Authority and due acknowledgement obtained or shall be sent by speed post or registered post acknowledgement due.

(3) The provisions of rule 10 shall apply mutatis mutandis in respect of the applications received under this rule.

Conditions for registration of Tutorial Institution.

12. Conditions for registration of the Tutorial Institution shall be as follows.-

(a) It should have suitable building with one room for each class, course or section. Each student shall have at least 1 square metre space. The number of students in each class or section shall not exceed 20;

(b) Each class room shall have adequate and comfortable seating capacity and arrangement.

(c) The building shall have sufficient sanitary facilities with proper ventilation and safe drinking water facilities. There shall be separate lavatories for boys and girls; a certificate to this effect shall be obtained from the Joint Director, Human Resource Development Department, of the concerned district.

(d) There shall be adequate number of teachers possessing qualification for teaching students of different levels of classes as prescribed below :-

Sl. No.	Level of Class	Minimum Qualification
1	Classes Nursery to V	Class XII
2	Classes VI to X	Graduate in relevant stream
3.	Class XI & XII	Post Graduate in relevant subject
4	Graduate and Post Graduate	Post Graduate in relevant subject
5.	Other courses	As specified by Registering Authority

Inspection of Tutorial Institutions.

13. (1) Registering Authority shall cause an inspection of any tutorial institution whenever it deems if necessary to do so.

(2) The Joint Director of Human Resource Development Department of the concerned district or any other officer designated as the Inspecting Authority by the Registering Authority may conduct inspection of the tutorial institution to verify complaints of any nature relating to operation and functioning of the Institution with a view to ensuring compliance to the provisions of the Act and Rules thereunder.

(3) It shall be mandatory for every Tutorial Institution to provide the required information to the authorized officers and to produce all the documents required by them for inspection.

Duty of an Inspecting Authority to send Inspection Report to the Registering Authority.

14. A copy of every inspection report under sub-rule (1) of rule 13 shall be sent to the Registering Authority by the Inspecting Officer.

Annual Reports

15. Every Tutorial Institution registered under the Act shall submit the Annual Report in compliance with sub-section (3) of section 15 of the Act to the Registering Authority.

Prohibition of appointment of Lecturers/

16. No person in the permanent employment of the Government or government aided institution as a lecturer, teacher or non-teaching staff shall be appointed in any Tutorial Institution.

Teachers and non-teaching staff in the tutorial Institutions.

Maintenance of registers.

17. Every Tutorial Institution shall maintain the following registers and shall keep regular accounts of all receipts and expenditure:-

(1) Register of admissions and withdrawal of pupils;
(2) Attendance register for pupils;
(3) Attendance register for teachers;
(4) Register showing receipts and expenditure;
(5) Inspection Book; and
(6) Such other registers as the Registering Authority may specify from time to time.

Power to cancel registration.

18. (1) The Registering Authority may cancel the Certificate of Registration if the Tutorial Institution has violated any of the provisions of the Act subject to which the registration certificate was issued. However, prior to taking such action, the Registering Authority may give the person/body of persons managing the Tutorial Institution an opportunity of being heard.

(2) Upon receipt of such order of cancellation of registration, the person/body of persons managing the institution shall cease to run the Tutorial Institution within 90 days from the date of receipt of such order.

General Instruction.

19. (1) The Tutorial Institution shall indicate the registration number under which it is registered in all its correspondences with the department or otherwise.

(2) The Tutorial Institution shall co-operate with the Inspecting Officers whenever they visit the institution for its inspection, by providing access to various records and registers, etc.

(3) The Tutorial Institutions shall communicate to the Registering Authority whenever there is a change in its address or whenever the institution is shifted to a different locality. Upon receipt of such communication the Registering Authority shall make the changes in the register maintained for this purpose and intimate the individual / body managing the Tutorial Institution informing them that these changes have been recorded.

(4) The Tutorial Institution shall obey all the instructions which may be issued by the prescribed authorities from time to time.

CHAPTER IV

RECOGNITION OF PRIVATE INSTITUTIONS

Grant of Provisional or Permanent Recognition.

20. The Managing Committee of the Institution of every registered Private Educational Institution seeking recognition under section 16 of the Act, shall submit the application for recognition under these rules.

Private Educational Institutions

21. Private Educational Institutions which are already affiliated to Boards recognized by the government, before the commencement of these rules, are deemed to be recognized under these rules and as per the provisions of clause (b) of sub-section (1) of section 17 of the Act.

Form and Manner of application for recognition.

22. The Secretary of the Managing Committee of every Private Institution seeking recognition shall make an application in **Form-XII and XIII** to the Competent Authority and every such application shall either be delivered to the Competent Authority either personally or sent it by registered post with acknowledgement due.

Procedure for recognition of registered educational institution.

23. (1) The application for recognition as mentioned in rule 22 should be accompanied by a security deposit as specified in Table 3 herein below. The amount of security deposit shall be paid by a demand draft payable to the Competent Authority.

TABLE 3

Sl. No.	Classification of Educational Institutions	Classes permitted up to	Value of Security Deposit
1.	Pre- Primary School	below I	Rs. 5000/-
2.	Primary School	V	Rs. 10,000/-
3.	Junior High School	VIII	Rs. 20,000/-
4.	Secondary School	X	Rs. 30,000/-
5	Sr. Secondary School	XII	Rs. 50, 000/

(2) After the receipt of an application for recognition, the Competent Authority shall arrange for the inspection of the institution referred to in the application within sixty days.

(3) Competent Authority conducting the inspection shall take all those matters into account, as mentioned in rule 24.

(4) In the event of closure or default by the educational institution, the Competent Authority shall have the liberty to utilize the security deposit to adjust any dues payable by the management towards staff of the institution and other parties as the case may be, within the amount collected as security deposit including the interest earned. However, the Managing Committee can draw the interest earned by such deposits and use this sum for the welfare of the institution, with the prior permission of Competent Authority.

Conditions for recognition.

24. (1) The Institution must be run by a registered society or a public trust constituted under any law for the time being in force and is managed in accordance with a scheme of management made under these rules;

(2) Subject to the provisions of clause (1) of Article 30 of the Constitution of India, the institution serves a real need of the locality

(3) The institution shall follow the syllabus approved by the Competent Authority

(4) There shall be adequate number of teachers possessing qualification prescribed below for teaching students of different categories of classes:-

Sl No	Level of Class	Minimum Qualification
1.	Classes Nursery to V	Class XII
2.	Classes VI to X	Graduate in relevant stream
3.	Class XI & XII	Post Graduate in relevant subject

(5) In addition to educational qualification mentioned in sub-rule (4) above, teachers should have proper professional qualification as explained hereunder, namely :-

Category of Teacher	Professional Qualification
Primary Teacher	Any Course approved by NCTE
Graduate or Post Graduate Teacher	BEd from recognized university

Provided that in the event a teacher without proper professional qualification is appointed, the teacher must acquire the required qualification within five years of appointment in the institution, failing which the appointment should be cancelled by the Managing Committee.

(6) The institution shall provide adequate library facility

(7) The institution shall provide learning materials as per course followed

(8) In case of institution running Elementary and above level classes, it shall provide the laboratory facilities as per the requirement of the course

(9) The institution shall take all care to promote co-curricular activities like games, sports, music etc.

(10) The institution should not be run for the profit of any individual, group or association of individuals or any other persons

(11) Admission to the institution should be open to all without any discrimination based on religion, caste, race, place of birth or any of them

(12) The Managing Committee should abide by the provisions of the Act and the rules made thereunder

(13) The school buildings or other structures or the grounds should not be used for residential purposes (except for the purpose of residence of any employee of the school) or for communal, political or non-educational activity of any kind whatsoever

(14) There should not be any thoroughfare or public passage through any part of the school premises

(15) The school should conduct itself so as to promote discipline and orderly behaviour and to maintain a high moral standard

(16) Facilities should be provided for teaching of languages in accordance with the three-language formula adopted by the Government

(17) The school must subject itself to inspection by any person or organization authorized by Competent Authority

(18) The school must furnish such reports and information as may be required by the Competent Authority and comply with such instructions as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in the working of the institution.

Permanent Recognition.

25. The Competent Authority shall examine the inspection report and if fully satisfied with the report, the institution shall issue Certificate of Recognition in **Form XIV** within thirty days of submission of the inspection report.

Date of Recognition.

26. The recognition given to the institution shall be effective from the date as decided by the Competent Authority and normally recognition shall be given from the date of commencement of the academic year.

Provisional Recognition.

27. If on examining the inspection report the Competent Authority is of the opinion that the institution has only partially fulfilled the conditions required for recognition as mentioned in rule 24, the Competent Authority may issue a certificate of Provisional Recognition in **Form XV** within thirty days of submission of the inspection report. Such Provisional Recognition shall be given for an initial period of one year. The educational institution shall not admit any fresh batch of students during the period of such provisional recognition.

Renewal of Provisional Recognition.

28. The institution shall apply in **Form XVI** for the renewal of Provisional Recognition granted under rule 27 each year, 60 days before the expiry of the provisional recognition certificate. The provisional recognition of the institution shall be continued on an annual basis for

maximum period of 5 years, and if at any time within this time period the Competent Authority is satisfied with the progress made by the Managing Committee in respect of compliance of rule 24, the institution shall be issued the Certificate of Permanent Recognition in **Form XIV.**

Every grant of Permanent or Provisional Recognition of private institutions shall be communicated to the Registering Authority.

Refusal of Recognition.

29. If in the opinion of Competent Authority, the institution has failed to fulfill the conditions for recognition as laid down in rule 24 even after the expiry of period as specified in rule 28, the Competent Authority shall issue a letter of refusal of recognition to the Managing Committee clearly indicating the reasons for such refusal. The Registering Authority shall also be intimated about such refusal:

Provided that recognition shall not be so refused unless the applicant is given an opportunity of being heard.

Cancellation of Permanent Recognition in other cases.

30. (1) If a recognized institution ceases to function or is shifted to a different locality or is transferred to a different trust, society, individual or a group of individual without the prior approval of the Registering Authority, it shall, for the purpose of future recognition, be treated as a new institution.

(2) Where any of the conditions of recognition, specified in rule 24, are subsequently violated by any recognized institution the **Competent Authority** shall by a written notice, draw the attention of the institution to such violation; and, if within 90 days from the date of service of such notice, any such condition for the recognition is not fulfilled, the recognition granted to such institution shall, on the expiry of the said period of 90 days, stand cancelled.

Withdrawal of recognition.

31. (1) Recognition granted to a Private Institution shall be withdrawn if the Managing Committee of the institution contravenes any of the provisions of this Act and the rules and orders made thereunder.

(2) The Competent Authority shall give the Managing Committee an opportunity of making its representation against such withdrawal or action within 30 days from the date of withdrawal of the recognition.

(3) Where the Competent Authority is of the opinion that the recognition granted to any private institution should in public interest be withdrawn, after giving due consideration to representation made by the Managing Committee, the Competent Authority may withdraw by notification, the recognition granted to the said institution.

(4) Notwithstanding anything contained in any other law for the time being in force, no educational institution, which has not been recognized or the recognition of which has been withdrawn under this Act shall be entitled to, -

(a) receive any grant-in-aid from the State funds or other financial assistance or any other facilities from the Government;

(b) send up or present candidates for examinations in courses of studies conducted by a Board or University of the Government.

Power to overrule

32. Notwithstanding anything contained in the rules, the Competent Authority shall reserve the right to overrule any or all the rules from rule 3 to rule 31, provided that the institution shall continue to function in the public interest.

G. B. Niraula
Joint Director (Exam/Tra.)
Human Resource Dev. Department
Government of Sikkim, Gangtok
File No. 67/07/Exam/HRDD

- FORM I
(see sub-rule (5) of rule 3)
Registration of Existing Private Institutions

To,

.....

.....

.....

(Specify here the designation and Address of the Registering Authority)

Sir/Madam,

For and on behalf of .....

(Specify here the name of the educational institution seeking registration), this application is submitted for registration of the said institution under **Section 10** of **Sikkim Education Act 2005**. Particulars are given below

1. Name of Institution : _____
2. (a) Institution's address: _____

   _____

   _____

   (b) Year of Establishment _____

   (c) Category of Institution as per **rule 3(7)**
3. Name of Head of Institution: _____
   (a) Educational Qualification: _____
   (b) Professional Qualification: _____
   (c) Date of joining as Head of Institution: _____
4. Names/Particulars of Managing Committee: _____ (attach list of members and enclose a copy of the Memorandum of Association etc., of the Society, Trust deed, etc.)
5. Registration of Society/Trust: (Yes/No), if yes give registration No. and Date_____
6. Fee Structure (A separate sheet may be attached) :
7. Physical Facilities:
   (a) Total land in possession of institution_____
   (b) Built-up Area: _____
8. Availability of adequate Drinking Water facilities as per rule 4: (Yes / No)
9. Availability of Fire Fighting System: (Yes/No) _____
   (enclose certificate)
10. Availability of Laboratory: : (Yes / No) (if yes, enclose list of equipment)
11. Play Ground: (Yes/No) _____
12. No. of Teaching Staff: _____ (a) Male _____ (b) Female _____
13. Name, address, qualifications and experience of teaching staff (attach separate sheet)
14. No. of non-teaching staff: _____ (a) Male ____ (b) Female _____
    (attach separate sheet with name and post)

15. Total Enrolment _____ (a) Boys_____ (b) Girls _____
    (Class wise enrolment may be given in a separate sheet)
16. Availability of Hostel Facilities: YES / NO _____
17. Amount of Registration Fee paid: _____
    give details of demand draft No./ date/ bank on which drawn.

Certified that the information furnished above is true and correct to the best of my knowledge and belief.

For and on behalf of

(Specify the name of Educational Institution)
Signature of the Secretary, with name in capital letters and rubber stamp.

Place:

Date:

DECLARATION BY THE APPLICANT INSTITUTION

(i) The Managing Committee of the Institution so hereby agree to abide by all the provisions under Sikkim Education Rules 2007.

For and on behalf of
(Specify the name of Educational Institution)
Signature of the Secretary, with name in capital letters and rubber stamp.

Place:

Date:

FORM II

[See sub-rule (6) of rule 3]

(Application for establishment of New Institutions)

To:

.....

.....

.....

(Specify here the designation and Address of the Registering Authority)

Sir,

For and on behalf of .....

(Specify here the name of the educational institution seeking registration). This application is submitted for registration of the institution. Particulars are as below:-

1. Name and location of proposed school
2. Name, address and nature of the Managing Committee (Enclose a copy of the Memorandum of Association etc., of the Society, Trust deed, etc.)
3. Date from which the proposed institution is proposed to be started.
4. Category of the proposed school, [rule 3(4)]
5. Details of educational institutions established, managed and administered by the Managing Committee, immediately prior to this Application.
6. Furnish the following:- (write yes or no and enclose details in separate sheet with clear headings)
   (a) Estimate of financial implications to provide infrastructure, teaching facilities, equipment, etc., at current market prices as per the standards prescribed in the Act and rules.
   (b) Photo copy of Title Deeds of evidence to the possession of the extent of land required for building, playground, etc.
   (c) Blue-print as evidence that buildings to the required extent and of the required specifications are available.
   (d) Name, address, qualifications and experience of teaching staff in position.
   (e) Copy of the resolution of the Managing Committee authorizing the Secretary to file this application.
   (f) Name and correspondence address
7. Qualification, address, occupation of the members of the Managing Committee
8. Any other information which the applicant wishes to furnish.(Attach separate sheet)
9. Amount of Registration Fee paid, (demand draft No. and date, bank on which drawn).

Certified that the information furnished above are true and correct and to the best of my knowledge and belief.

For and on behalf of
(Specify the name of Educational Institution)
Signature of the Secretary, with name in capital letters and rubber stamp.

Place :

Date :

DECLARATION BY THE APPLICANT INSTITUTION

(ii) The Managing Committee of the Institution hereby agree to abide by all the provisions under Sikkim Education Rules 2007.

For and on behalf of
(Specify the name of Educational Institution)
Signature of the Secretary, with name in capital letters and rubber stamp.

Place :

Date :

FORM III

[See Rule 3 (10) (a) (i)]

Registration No. .....

Certified that . . ..

FORM IV

[See sub-rule (1) of rule 5]

Application for up-gradation of Educational Institution

To

.....

.....

.....

(Indicate here the designation and address of the Registering Authority)

Sir/Madam,

For and on behalf of..... (specify here the name of the Managing Committee), this application is submitted under section 12 (1) (b) of the Sikkim Education Act 2005 and the relevant rules for upgradation of educational institution .....(specify here in the name and address of the educational institution). A new Registration Certificate may please be arranged to be issued.

(1) Category of Institution at the time of registration : .....
(2) Higher classes proposed to be added : .....
(3) Particulars of Registration Fee paid at the time of initial registration:
(4) Fees paid for up-gradation under rule 5(2) : .....(demand draft No. and date, bank on which drawn)
(5) Any other information that the applicant wishes to furnish :

I have enclosed herewith in original, Registration Certificate bearing No. ..... dated..... issued by.....(specify here the designation of the Registering Authority which issued the application).

Signature with name and
designation with official seal.

Place :

Date :

FORM V

[See sub-rule (4) of rule 5]

New Registration Certificate for Up-gradation

Certified that ..... (specify here the name and address of the institute) which was registered as an educational institution vide registration No..... ... .dated .....is hereby withdrawn and issued a new registration No..... Under Sl. No.....of page.....Of volume.....of the register of Private Educational Institutions maintained in this office. This certificate is issued this.....day of.....(specify here the month) of .....(specify year)

This Certificate of Registration is issued in favour of .....(specify here the name and address of the local authority, society or the trust, as the case may be) under section 12 of the Sikkim Education Act, 2005 to run the following classes:-

Sl. No.	Category of Educational Institution	Classes Permitted	Academic year from which the classes to be started	Medium of Instruction Permitted

Signature with name and designation of the Registering Authority with Official seal

Place :

Date :

FORM VI

[See sub-rule (1) of rule7]

To,

.....

.....

.....

(Indicate the name and address of the Registering Authority)

Sir/Madam,

Whereas,.....(here specify the name and address of the Managing Committee, society or trust, as the case may be) is registered under No..... as an educational institution. This institution has been registered at Sl. No..... .... . of page No.....of Volume.....of the register of educational institution maintained by Registering Authority for purposes of running .....class of educational institution;

And whereas, the following changes have taken place in the particulars furnished to the Registering Authority at the time of registration under rule 7 of the Sikkim Education Rules, 2007.

Sl. No.	**Particulars furnished at the Time of registration**	**Changes that has Taken place**	**Reasons for the change**

Now, therefore, the Managing Committee of.....(give name of educational Institution) hereby intimates the Registering Authority of the aforesaid change or closure (as the case may be).

The original registration certificate bearing No..... dated..... has been withdrawn and issued a fresh Registration Certificate.

Signature with name and address of the person with official seal Making the application on behalf of the Managing Committee .

Place:

Date:

FORM VII

[See rule 7 (2)]

Reference application No ..... dated ..... submitted by ..... (name of Institution) in Form VI requesting for changes in respect of the ..... (name of Institution)

This is to confirm that the following changes have been made in respect of..... (Name of Institution) and recorded in the register at Sl.No..... of page no..... of Volume No. .....of the Register maintained in the office of the Registering Authority.

Sl. No	**Particular furnished at the time of registration**	**Changes that has/havebeen approved and recorded**

Signature with name and designation of the Registering Authority with Official seal

Place:
Date:

FORM VIII

[See sub-rule (1) of rule 8]

Register of Educational Institutions

Sl. No.	Name and Address of The Managing Committee	Nature of the Managing Committee	Members Of the Managing Committee	Name of the Educational Institution	Category of Institution	Registration Certificate No. And Date of Issue	Signature Of the Registering Authority
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM IX
(Application for Establishment of New Tutorial Institution)
(see sub-rule (1) of rule 10)

To:

.....
.....
.....
(Specify here the designation and Address of the Registering Authority)

Sir,

For and on behalf of .. . .
(Specify here the name of the Tutorial Institution seeking registration). This application is submitted for registration of the institution. Particulars are as given below:-

1. Name and location of proposed Tutorial Institution
2. Name and address of the Person/body of persons proposing to establish the Tutorial Institution.
3 Proposed date of opening of the Tutorial Institution
4. Level of classes proposed to be run(See section 12(d) of rule)
5. Details of Tutorial Institutions managed by applicant prior to this Application.
6. Furnish the following:-
   (a) Fees paid;-Demand Draft No and Date with amount (b) NOC from the House Owner in which Tutorial Institution is proposed to be run(if owned by the individual running the institution produce proof thereof)(c) Name, address, qualifications and experience of proposed teaching staff under section 12(d) of rule
7 Any other information which the applicantwishes to furnish.(Attach separate sheet)
8 Details of the infrastructural facilities provided in the institution.-
   (1) Accommodation (details of the number of class rooms with dimensions;
   (2) Details of furniture provided;
   (3) Details of the equipment and other material provided in the laboratory;
   (4) Details of the books provided in the library;
   (5) Details of the sanitary facilities provided (Sanitary Certificate issued by appropriate authority)
   (6) Certificate of Fire Safety issued by appropriate authority
   (7) Certificate of Drinking water facilities issued by appropriate authority;

DECLARATION

I Sri/Smt./Kum. . . . . son/wife/daughter of Sri . . . . . do hereby declare that the particulars furnished above are correct to the best of my knowledge and belief. I am prepared to undergo any penal action that may be imposed on me if any of the particulars furnished in the application are found to be false and misleading at any time subsequently. I further declare that I am prepared to obey all such instructions which may be issued from time to time by the Registering Authority and Competent Authority under the Sikkim Education Act 2005.

Signature
(with office stamp)

Place:
Date:

FORM X

(See sub-rule (1) of rule 10)
Registration of Existing Tutorial Institution

To,

.....
.....
.....
(Specify here the designation and Address of the Registering Authority)

Sir/Madam,

For an on behalf of .....
(Specify here the name of the Tutorial Institution) this application is submitted for registration of the said institution under **rule 11** of **Sikkim Education Rules 2007**. Particulars are given below

1. Name of Institution: _____
2. (a) Address of Institution : _____
   _____
   _____
   (b) Year of Establishment _____
   (c) Level of classes running as per section 24
   (d) _____
3. Name of the Owner of Institution with address : _____
   (a) Educational Qualification: _____
   (b) Professional Qualification: _____
4. Registration of Society/Trust: (Yes/No), if yes give registration No._____
5. Physical Facilities:
   (a) No. of rooms for running classes_____
   (b) Availability of Drinking Water facilities: (Yes/No) _____
   (c) Availability of Fire Fighting System: (Yes/No) _____
   (enclose certificate)
   (d) Availability of Laboratory: : (Yes/No) _____
   (e) Availability of Sanitary facility (Yes/No) _____
6. No. of Teaching Staff: _____ (a) Male _____ (b) Female _____
7. Name, address, qualifications and experience of teaching staff (attach separate sheet)
8. Total Enrolment _____ (a) Boys_____ (b) Girls _____
   (Course wise enrolment may be given in a separate sheet)
9. Amount of Registration Fee paid: _____
   (Demand draft No. date bank on which drawn.)

DECLARATION

I Sri/Smt./Kum. . . . . son/wife/daughter of Sri . . . . . do hereby declare that the particulars furnished above are correct to the best of my knowledge and belief. I am prepared to undergo any penal action that may be imposed on me if any of the particulars furnished in the application are found to be false and misleading at any time subsequently. I further declare that I am prepared to obey any instructions which may be from time to time by the Registering Authority and Competent Authority under Sikkim Education Act 2005.

Signature
(with office stamp)

Place:
Date:

FORM XI

[see rule 10(5)(a)]
Form for the Certificate of Registration of Tutorial Institution
CERTIFICATE OF REGISTRATION

1. Registration No.
2. Name and address of the Tutorial Institution.
3. Classes/Courses permitted:
   (a) _____
   (b) _____
   (c) _____

In pursuance of sub-section (1) of section 15 of the Sikkim Education Act, 2005 and in view of fulfillment of the prescribed conditions to its satisfaction, the Registering Authority is pleased to accord registration to the Tutorial Institution mentioned above with immediate effect.

Failure on the part of the applicant to start the institution within 12 months of registration shall result in automatic cancellation of this registration certificate as prescribed under sub-rule (6) of rule 10.

Signature of Registering Authority
(with office stamp).

Place:
Date:

FORM XII

(See rule 22)
APPLICATION FOR GRANT OF RECOGNITION

To

The . . . . . (Give the name of competent authority) . .

. . . . . at Gangtok, Sikkim..

Sir/Madam,

I forward herewith an application in the prescribed proforma giving entire details as required in Form- XIII for the grant of recognition to .. . . . . (name of the institutions) . . .. with effect from the commencement of the school year 20... . . . .

Yours faithfully,

Enclosure :

Place :
Date :

Secretary, Managing Committee

FORM – XIII

[See Rule 22]

Application form for Recognition of Private Institution

1. Name of Institution:(a) Composition of the Institution Boys/Girls/Co-education(b) Medium of Institution
2. (a) Date of commencement(b) Working hours of the Institution
3. Whether Registered under the Sikkim Education Act, 2005(Furnish copy) Date:
4. (a) Name and address of the Management.(b)Type of the Management
5. List of Management Committee Members.
6. Name of the Secretary/CorrespondentWith full addressTelephone/Mobile :Fax :
7. Whether the Management is running anyOther institutions, if so furnish the list.
8. Financial position of the Management(enclose audit report of the last threeyears)(a) Furnish details of stability of funds(b) furnish details of fees/donations or any other amount collected
9 Class or classes to be recognized

Classes	No. of pupils on the date of Application in each Class/section	Average attendance duringthe month
I		
II		
III		
IV		
V		
VI		
VII		
VIII		
IX		
X		
XI		
XII		

If the additional sections have been sanctioned enclose copy of the Order

10 Year of latest recognition obtained(Enclose a copy.....)

11 Staff Particulars:

Sl. No.	Name of the Teacher	Date of Birth	Qualification	Date of entry Into service	Whether Approved or Not
(1)	(2)	(3)	(4)	(5)	(6)

12		
INFRASTRUCTURE	Accommodation (enclose copy)	
	(a) Total area of the school buildings	
	(i) No. of rooms/size	
	(ii) Rented or own	
	(b) Total area of playground	
	(c) Toilet provided or not both for staff and students	
	(d) Electricity facility available or not	
	(e) Whether the special provision is made in the school building for disabled children	
13	Drinking water facility-provided or not	Yes/No
14.	Library.-(a) No. of books(b) Approximate value	
15.	A.V. Aids. Furnish the list	
16	Sports and Games-furnish the list.	
17.	Laboratory facilities	Available/Not available
18	Co-curricular activities provided	
19	Furnish Annual Public Examination Results of the last three years.	
20	Any unique features of the school.	

Signature of Secretary,
Managing Committee

FORM XIV

[See rule 25]

Grant of Permanent Recognition

Registration No. . . . . .

Certified that . . . . . (Specify here the name and address of the local authority, society or trust as the case may be) Managing Committee has been recognized under Section 16 of the Sikkim Education Act, 2005 on this . . . . . day of ..... (month) of. . . . . (year) for the purpose of running the following class of educational institution at . . . . . (Specify the place here).

1. Name of the Institution.
2. Serial No in the register of Registering Authority.
3. Class of educational institution.
4. Classed permitted.
5. The academic year the classes are to be opened.
6. Medium of instruction permitted
7. Details of registration.
8. Fees paid.

The educational institution is registered at Sl. No. . . . . at Page No. . . . . of Volume No.. . . . . .of the Register of educational institutions maintained in the office. This recognition certificate is issued subject to conditions stipulated hereunder:-

1. The validity of the registration certificate shall be governed by Rule 6.
2. The Managing Committee shall fulfill all the general conditions as stipulated in Rules 4 and 5.
3. The conditions in respect of site, area building, equipment, staff, financial viability etc must be fulfilled.
4. Any other condition specified by the authority.

Signature and Name and Designation
and Official seal of the Competent Authority.

Place:
Date :

FORM- XV

{See rule 27}
Provisional approval of recognition

1. Registration No.
2. The name and address of the Managing Committee and the Institution.
3. The reason for according provisional approval.
4. Conditions which are not fulfilled.
5. Class of educational institution.
6. Classes permitted.
7. The time period in which the conditions are to be fulfilled.

Competent Authority
Name:
Designation:

Place:
Date:

--FORM XVI

APPLICATION FOR RENEWAL OF PROVISIONAL RECOGNITION
(See rule 28)

(Specify here the designation and address of Competent Authority)

Sir/Madam,

For and on Behalf of (Specify here the name of the Local Authority, Trust or Society, as the case may be) this application is being submitted for recognition of the said institution under Section 16 of the Sikkim Education Act, 2005 for Recognition of an existing Educational Institution namely.

(Specify here name and address of the Educational Institutions)

Particulars are as follows:-

1. Name of existing Educational Institution -
2. Address of the Institution -
3. Details of Managing Committee (Enclosed a copy of the Certificate of Registration, copy of the Memorandum of Association etc., of the Society, Trust, etc.) -
4. Objectives of the Educational Institution-
5. No. of Teaching Staff and Non-teaching staff employed-
6. Details of the Courses being run

Sl. No.	**Name of**	**Intake the course**	**Recognizing Authority**	**No. and Date of theorder recognizing the course**	**Medium of Instruction**

7. Any other information the applicant wishes to furnish

I request that Recognition Certificate may be issued.

Certified that the information furnished above is true and correct and to the best of my knowledge and belief.

Signature of the applicant with name and Designation and with official seal.

Place :
Date :